

Kasulu District Council (Forest Produce Cess)

GOVERNMENT NOTICE NO. 508 published on 21/8/98

THE LOCAL GOVERNMENT FINANCE ACT, 1982

NO. 9 OF 1982

—————
BY-LAWS
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Made under sections 7 and 13

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**THE KASULU DISTRICT COUNCIL (FOREST PRODUCE CESS)
BY-LAWS, 1997**

**Title and
Commence-
ment**

1. These By-laws may be cited as Kasulu District Council (Forest Produce Cess) By-laws, 1997 and shall be deemed to have come into operation on the first day of January, 1997 and shall apply throughout the area of jurisdiction of Kasulu District Council.

2. In these By-laws:-

"Forest Produce" includes: (i) trees, timber, firewood, charcoal, sawdust, withies, bark, bast, roots, fibres, resins, gums, latex, sap, galls, leaves, fruits and (ii) within Local Authority forest reserves only vegetation of any kind litter, soil, peat, honey, wax and will silk and (iii) such other things as the Minister for Local Government may from time to time Gazette declare to be forest produce either generally or within any Local Authority forest reserve;

"Council" means the Kasulu District Council;

"District" means the area of jurisdiction of the Kasulu District Council;

"Authorised Officer" means an Officer authorised by the Council to conduct inspection, conservation, improvement and administrative duties in respect of forest produce extraction in the area thereof and the prosperity and good growth of Forest produce thereon;

"District Executive Director" includes the District Executive Director of the Council or his deputy;

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"Licence" means a valid licence granted by the chief conservator of forests or any person duly authorised by him in that behalf, or in Local Authority under section 19 of Forest Ordinance, 1957;

"Forest Officer" means any Officer of the Council who is qualified in the forestry fields

3. Any person who carries on Forest Produce business without having obtained a valid licence or lawful authority for doing so from the Council shall be guilty of an offence.

Unlicensed forest produce extraction forbidden

4. Any authorised officer or a forest officer may enter in any area where the extraction forest produce takes place and where he deems fit, may issue or give directives as to the nature and methods upon which the extraction of forest may be done.

Entrance into extracted areas by Council Officers.

5. The Council shall have full power to authorise its forest officers and authorised Officers to enter in any area where an illegal forest produce business is being carried on and such officers shall be vested upon with full powers to effect and arrest any person found in the area without any valid licence or lawful authority.

Power of Council Officer

6. The Council shall confiscate any forest produce that has been extracted contrary to the provision of section three (3) of this By-laws.

Illegal forest produce to be confiscated

7. The Council may, after the approval of the Minister, where it deems fit, change, alter, cause to be altered, amend, modify, or repeal any provision of this by-laws provided that, the nature of time and circumstance for the time being necessitates or favours such changes, alteration, modification or repealation.

Council's power to charge, alter, amend, modify and repeal this By-law

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Imposition of cess 8. Every person with a licence under section 19 of the Forest Ordinance 1957, and any person who deals with any forest produce within the area of jurisdiction of the Council shall pay a forest produce cess as specified in column two of the first schedule to these By-laws.

Penalty 9. Any person who refuses or fails to pay the forest produce cess which is due to and payable by him under these By-laws is guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

SCHEDULE

COLUMN ONE		COLUMN TWO	
No.	Forest Produce	Unit	Fees per Unit
1.	Natural Forest Timber	Each	60/-
2.	Plantation timber	Each	50/-
3.	Bamboos	Each	50/-
4.	Firewood / Logs	Cu. meter	1,000/-
5.	Charcoal	@ Bag	300/-
6.	Poles	@ Pole	50/-
7.	Minor products (Vitunga, Vitebo, Milago, Mipini, vyungu)		50/-
8.	Fibres (Ukindu)	Each bundle of 25 kgs	500/-
9.	Honey	Each tin 30 klg.	500/-
10.	To enter any forest and remove any other forest produce not listed.	Per callender month	1,000/-